

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

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SANDRA REYES,  
ex rel., J.R., a minor,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

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CASE NO. 1:17-cv-943

OPINION AND ORDER  
[Resolving Doc. [1](#)]

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

On May 4, 2017, Plaintiff Sandra Reyes filed a complaint seeking judicial review of the Defendant Commissioner of Social Security's denial of her minor son's application for supplemental security income benefits.<sup>1</sup> The Court referred the matter to Magistrate Judge David A. Ruiz.

On June 11, 2018, Magistrate Judge Ruiz issued a Report and Recommendation ("R&R") recommending that this Court reverse and remand the Commissioner's final decision.<sup>2</sup> Objections to that R&R were due by June 25, 2018. The Commissioner stated it will not file objections.<sup>3</sup>

The Federal Magistrates Act requires a district court to conduct a *de novo* review only of those portions of an R&R to which the parties have made an objection.<sup>4</sup> Failure to timely object waives a party's right to appeal the magistrate's report.<sup>5</sup> Where a party does not object to the R&R, a district court may adopt it without review.<sup>6</sup>

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<sup>1</sup> Doc. [1](#).

<sup>2</sup> Doc. [15](#).

<sup>3</sup> Doc. [16](#).

<sup>4</sup> [28 U.S.C. § 636\(b\)\(1\)\(C\)](#).

<sup>5</sup> [Thomas v. Arn](#), 474 U.S. 140, 145 (1985); [United States v. Walters](#), 638 F.2d 947, 949-50 (6th Cir. 1981).

<sup>6</sup> [See Thomas](#), 474 U.S. at 149-50.

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Accordingly, in light of the Commissioner's decision not to object to the R&R in this case, the Court **ADOPTS** Magistrate Judge Ruiz's R&R, incorporates it as if fully restated herein, and **REVERSES AND REMANDS** the Commissioner's final decision.

IT IS SO ORDERED.

Dated: June 27, 2018

s/ *James S. Gwin*  
JAMES S. GWIN  
UNITED STATES DISTRICT JUDGE